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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/517,775	12/27/2004	Luc Schrive	263889US2PCT	7582
22850	7590	08/13/2007	EXAMINER	
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			SAVAGE, MATTHEW O	
		ART UNIT	PAPER NUMBER	
		1724		
		NOTIFICATION DATE	DELIVERY MODE	
		08/13/2007	ELECTRONIC	

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No.	Applicant(s)	
	10/517,775	SCHRIVE ET AL.	
	Examiner	Art Unit	
	Matthew O. Savage	1724	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 11 May 2007.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 14-27 is/are pending in the application.
- 4a) Of the above claim(s) 14-20 and 25 is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 21-24, 26, and 27 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ . |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ . | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| | 6) <input type="checkbox"/> Other: _____ . |

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 21-24, 26, and 27 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

With respect to claim 21, the specification fails to adequately define the structure corresponding to the "means" recited on lines 3 and 4 of the claim.

The specification fails to disclose how to construct a means for subjecting the flow of the effluent to a pulsed electric field that includes adjustable voltage value, current value, pulse repletion frequency, and voltage front shape characteristics as recited in claims 21 and 27.

Claims 21-24, 26, and 27 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

With respect to claims 21 and 27, the original specification fails to disclose the "load inductor" as being connected in parallel with the "means for subjecting" recited in claim 21 or "treatment head" recited in claim 27. In addition, the original specification fails to disclose a circuit only including one inductor connected in parallel with the "means for subjecting" or "treatment head". Finally, the original specification fails to disclose the inductor connected in parallel with the "means for subjecting" or "treatment head" as "reducing a voltage".

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 21-24, 26, and 27 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

With respect to claims 21 and 27, it is unclear as to how the voltage value, current value, pulse repetition frequency, and voltage front shape characteristics are adjustable since no structure for enabling such a function has been recited in the claim

Claims 21-24, 26, and 27 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 1st and 2nd paragraphs, set forth in this Office action.

Applicant's arguments filed 5-11-07 have been fully considered but they are not persuasive.

The rejections under 35 U.S.C. 112, 1st paragraph has been maintained since the specification and drawings fail to adequately disclose a circuit have voltage, current, and frequency, and voltage front shape characteristics that are adjustable as implied in the claim. In addition, the rejections under 35 U.S.C. 112, 2nd paragraph has been maintained since the claim fails to include structure for performing the "adjustable" function as recited in the claims.

This application would be allowable if amended as follows.

Claim 21 (Currently Amended): An installation for treatment of effluents, comprising:

means for subjecting a flow of the effluents to a solid/liquid separation operation; and

means for subjecting the flow of the effluents to a pulsed electric field that has an effect of modifying physicochemical and biologic characteristics, the modifying being used during a solid/liquid separation,

the means for subjecting the flow of the effluents to the solid/liquid separation operation and the means for subjecting the flow of the effluents to the pulsed electric field being located at different locations along the effluent flow, wherein the means for subjecting the flow of the effluent to the pulsed electric field operates according to a

discharge mode, the discharge mode being obtained by pulse discharge of a capacitor powered by a dc power supply, discharged through a load inductor and having adjustable voltage value, current value, pulse repetition frequency, and voltage front shape characteristics, said load and an inductor connected in parallel with said means for subjecting the flow of the effluents to a pulsed electric field for reducing a voltage limiting a charge current applied to the effluents during pulse discharging of the capacitor.

Claim 27 (Currently Amended): An installation for treatment of effluents, comprising:

a solid/liquid separator located at a first location in an effluent flow stream and configured to subject a flow of the effluents to a solid/liquid separation operation; and an effluent treatment unit located at a second location different than the first location and configured to subject the flow of the effluents to a pulsed electric field, said effluent treatment unit including an effluent treatment head, a dc power supply, a capacitor powered by a said dc power supply, a load inductor, and a switch configured to discharge the capacitor through the effluent treatment head and the load inductor in a discharge mode, wherein the discharge mode having adjustable voltage value, current value, pulse repetition frequency, and voltage front shape characteristics; and

~~said lead an inductor connected in parallel with said effluent treatment head for reducing a voltage limiting a charge current applied to the effluent treatment head during pulse discharging of the capacitor.~~

Cancel claims 14-20 and 25.

On line 12 of page 19 of the specification, insert -- constitutes a means for subjecting the flow of effluents to a pulsed electric field and – after “head”.

On line 21 of page 23 of the specification, insert --, which constitute a means for subjecting the flow of the effluents to a solid/liquid separation operation—has been inserted after “15”.

The following is an examiner's statement of reasons for allowance:

The prior art fails to teach or suggest the limitation of the inductor connected in parallel with the means for subjecting the flow of the effluents to a pulsed electric field or the effluent treatment head for limiting a charge current applied to the effluents during pulse discharging of the capacitor as recited in proposed amended claims 21 and 27.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew O. Savage whose telephone number is (571) 272-1146. The examiner can normally be reached on Monday-Friday, 7:00am-3:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duane Smith can be reached on (571) 272-1166. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Matthew O. Savage
Matthew O Savage
Primary Examiner
Art Unit 1724

mos